

E-FILED ON 7/6/05

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAREK MOLSKI; and DISABILITY RIGHTS
ENFORCEMENT EDUCATION SERVICES:
HELPING YOU HELP OTHERS,

No. C04-04488 HRL

Plaintiffs,

**ORDER EXTENDING ORDER TO SHOW
CAUSE RE SETTLEMENT**

v.

FRIAR TUCK'S RESTAURANT; and
GREGORY ALAN CELLITTI,

Defendants.

On July 5, 2005, the parties filed a joint statement in response to this court's May 31, 2005 Order to Show Cause re Settlement. They represent that they anticipate that a final settlement agreement in this case will be executed by August 8, 2005. Accordingly, the court will extend the Order to Show Cause for a reasonable period of time, and vacates the hearing set for July 12, 2005.

On or before August 8, 2005, the parties shall file a stipulated dismissal pursuant to Fed.R.Civ.P. 41(a). If a dismissal is not filed by the specified date, all parties shall appear in Courtroom 2, 5th Floor of the United States District Court, 280 South First Street, San Jose, CA 95113 on **August 16, 2005, 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed.R.Civ.P. 41(a). The parties shall file a statement in response to this Order to Show Cause **no later than August 12, 2005**. The joint statement shall state (1) the status

of the activities of the parties in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated and the parties need not file a joint statement in response to this Order.

Dated: July 6, 2005

/s/ Howard R. Lloyd

HOWARD R. LLOYD

UNITED STATES MAGISTRATE JUDGE

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7 Counsel are responsible for distributing copies of this document to co-counsel who have not
8 registered for e-filing under the court's CM/ECF program.